

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 2004-591

September 3, 2004

COMPETITIVE ENERGY SERVICES
Request for Waiver of the Opt-Out Fee
Requirement of Chapter 301
On Behalf of 14 Customers
(Portland Center for Assisted Living;
Bell Manufacturing Co.; BO-ED, Inc.;
EKTO Manufacturing Corp.; Everett J. Prescott, Inc.;
Gardiner Dunkin Donuts; Howell's Truck Stop;
Northeast Airmotive, Inc.; NRF Distributors;
Patrons-Oxford Insurance Co.; R.J. Grondin & Sons;
Skillin's Greenhouses; Sprinkler Systems, Inc.;
Waco Products, Inc.)

ORDER GRANTING WAIVER

WELCH, Chairman; DIAMOND and REISHUS, Commissioners

On September 2, 2004, the above noted filing was submitted requesting a waiver of the opt-out fee provisions of Chapter 301 (section 2(c)(2)). The Commission has previously stated that waivers are appropriate if the default to standard offer service was beyond the customer's control or otherwise not related to gaming standard offer service. *Order Adopting Rule and Statement of Factual and Policy Basis*, Docket No. 2000-904 at 4 (Jan. 24, 2001). Upon review of this case, there is no evidence of any such gaming.

Section 10 of Chapter 301 allows the Director of Technical Analysis to grant waivers that are not inconsistent with the purposes of the rule. I find that granting a waiver in this case is not inconsistent with the purposes of Chapter 301 and hereby grant the request that the opt-out fee be waived for the account(s) and pursuant to the circumstances described in the filing.

BY ORDER OF THE DIRECTOR OF TECHNICAL ANALYSIS

Faith Huntington